

INITIAL STATEMENT OF REASONS

SECTIONS 591 – 596.

SPECIFIC PURPOSE OF THE AMENDED REGULATIONS

The proposed amended regulations will provide clarification for implementing *Education Code* sections 49452, 49455, and 49456. Specifically, the regulations clarify who may administer vision tests to pupils, what types of tests may be performed, and when a reevaluation for test failure is required.

NECESSITY/RATIONALE

The existing regulations were last amended in 1977. Since that time, there have been changes in vision testing techniques that are not reflected in the existing regulations. *Education Code* Section 49452 requires LEAs to test the vision of each pupil enrolled in the district's schools and specifies the individuals qualified to perform vision testing. *Education Code* Section 49455 specifies the frequency and basic components of the school vision testing program. The *California Code of Regulations* sections 590-596 provide guidance on vision testing; however, the language in the existing regulations limits the type of testing tool to the Snellen chart. While the Snellen chart is one type of testing tool, as technology has evolved, there are other vision testing tools now available to LEAs. The amended version of the regulations would replace the word "Snellen" with the generic term "optotype" and thereby not limit LEAs to one particular brand of testing tool.

The amendment to the *California Code of Regulations* section 594 provides guidance on sending written notice to the parents or guardians of pupils who do not pass the initial vision screening and follow-up reevaluation.

Other amendments to the existing regulations reflect statutory changes since 1977.

Section 590. Duly Authorized Agency Defined.

The amendments reflect technical changes consistent with existing statute.

Note: Authority cited: Section 33031, *Education Code*. Reference: Section 49452, *Education Code*.

Section 591. Employees Authorized to Give Tests.

The amendments reflect technical changes consistent with existing statute.

The amendments remove "ophthalmologist," as ophthalmologists are a subset of physicians already on the list of duly authorized providers of vision tests, and add "osteopath," as osteopaths are licensed in California as a separate body.

The amendments replace the term "screening" with "testing" to provide consistency with statute.

Note: Authority cited: Section 33031, *Education Code*. Reference cited: Sections 44873, 44877, 44878, and 49452, *Education Code*

Section 592. Acceptable Course in Vision Screening.

The amendments reflect changes in technology and replace a brand name test with a generic term.

The amendments replace the term “screening” with “testing” to provide consistency with statute.

The amendments reflect technical changes consistent with existing statute.

Note: Authority cited: Section 33031, *Education Code*. Reference: Section 49452 *Education Code*.

Section 593. Responsibility as to Eligibility.

The suggested term “vision test” replaces the term “eye screening test” to more accurately express the type of testing performed in the schools.

Note: Authority cited: Section 33031, *Education Code*. Reference: Section 49452, *Education Code*.

Section 594. Examination of Visual Acuity.

The amendments reflect technical changes consistent with existing statute.

The amendments reflect changes in technology and replace a brand name test with a generic term.

The amendments clarify when a reevaluation for test failure is required.

The amendments eliminate a reference to the preparation and periodic update of program guidelines related to vision testing.

Note: Authority cited: Section 33031, *Education Code*. Reference: Sections 33308.5, 49452, 49455, and 49456, *Education Code*

Section 595. Appraisal of Color Vision.

The amendments replace the term “examination” with the term “appraisal.”

The amendments specify color vision appraisal for male pupils and add related Education Code sections.

Note: Authority and Reference cited: Section 33031, *Education Code*. Reference: Section 49452 and 49455, *Education Code*.

Section 596. Gross External Observation of the Children’s Eyes, Visual Performance and Perception.

Section 596 amendments reflect technical changes consistent with existing statute.

Note: Authority cited: Section 33031, *Education Code*. Reference: Section 49452 and 49455, *Education Code*.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The State Board did not rely upon any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES.

This proposal is to amend out dated regulations, not create new regulations. Therefore, the consideration of alternatives is not applicable.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

As no adverse impact on small business has been identified, there is no need to examine reasonable alternatives to lessen the impact.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The proposed regulations would not have a significant adverse economic impact on any business.